



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: June 4, 2013

CBCA 3372

ASH CREEK, LLC,

Appellant,

v.

DEPARTMENT OF THE INTERIOR

Respondent.

Heide Foley, Asset Manager of Ash Creek, LLC, Sausalito, CA, appearing for Appellant.

Mary Anne Kenworthy, Office of the Solicitor, Department of the Interior, Portland, OR, counsel for Respondent.

WALTERS, Board Judge.

ORDER

The parties filed a joint motion requesting that the appeal be dismissed with prejudice, so that a new contracting officer decision may be issued. They explain that, since the appeal was filed, additional information has been made available to the contracting officer, that such information will require a new decision and that, if not satisfied with that new decision, appellant may appeal from it. Though not expressly stated, the motion indicates that the decision from which the instant appeal was filed has been retracted. Accordingly, the appeal is **DISMISSED WITH PREJUDICE**.

RICHARD C. WALTERS
Board Judge